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Attorneys for Union

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
REGION 19

NEXSTAR BROADCASTING, INC. d/b/a  
KOIN-TV,

and

NATIONAL ASSOCIATION OF  
BROADCAST EMPLOYEES &  
TECHNICIANS, THE BROADCASTING  
AND CABLE TELEVISION WORKERS  
SECTOR OF THE COMMUNICATIONS  
WORKERS OF AMERICA, LOCAL 51, AFL-  
CIO,

No. 19-CA-211026

**CROSS-EXCEPTIONS**

No.	Page	Cross-Exception
1.	9-11	The remedy and order are inadequate.
2.	10	Paragraph 1 of the "Cease and Desist from" should be broken down into two paragraphs.
3.	9-11	To the failure of the Administrative Law Judge to order the following remedies:  1. A permanent posting or alternatively, a posting at least as long as the time from when the violation began until the notice is posted;

		<ol style="list-style-type: none"> <li>2. Inclusion of the notice with payroll statements;</li> <li>3. A mailing of the notice and the decision to all employees;</li> <li>4. A reading of the notice in which employees have an opportunity to inquire regarding the scope and effect of the remedy;</li> <li>5. A reading of the notice on at least three occasions where the union may record the reading for display on YouTube or other social media sites;</li> <li>6. The Notice should be posted on the television screen of the viewers for ten minutes once a day for 120 days during prime TV viewing time so that the public will see the notice.</li> <li>7. Inclusion of an affirmative acknowledgement that the employer has been found to have violated the National Labor Relations Act by illegally refusing to turn over information that was relevant to bargaining and necessary to the Union's ability to perform its duties as the bargaining representative, and an apology;</li> <li>8. Inclusion of the notice on company screensavers opening Windows or screens for all computers for the length of the posting period;</li> <li>9. An order to allow employees work time without loss of pay to read the decision and notice and to discuss with other employees.</li> <li>10. Deletion of the "Choose Not to Engage in Any of These Activities" language from the notice.</li> <li>11. Posting of the NLRB's Employee Rights Poster for 5 years.</li> <li>12. Posting the Notice on the company's intranet and on its public website.</li> </ol>
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	P 11	The ALJ improperly put language at lines 15-16 dismissing allegations not found but she found all the allegations to be violations of the Act.
	P 11	The indication that the Decision was issued in Washington D.C. since the ALJ on the West Coast and did not sign the Decision in Washington.

Dated: December 6, 2018

WEINBERG, ROGER & ROSENFELD  
A Professional Corporation



By: 

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ANNE I. YEN  
CAITLIN E. GRAY  
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**PROOF OF SERVICE  
(CCP §1013)**

I am a citizen of the United States and resident of the State of California. I am employed in the County of Alameda, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years and not a party to the within action.

On December 6, 2018, I served the following documents in the manner described below:

**CROSS-EXCEPTIONS**

- ☐ (BY U.S. MAIL) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing with the United States Postal Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at Alameda, California.
- ☒ (BY FACSIMILE) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of document(s) to be transmitted by facsimile and I caused such document(s) on this date to be transmitted by facsimile to the offices of addressee(s) at the numbers listed below.
- ☐ (BY OVERNIGHT MAIL) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for overnight delivery, and I caused such document(s) described herein to be deposited for delivery to a facility regularly maintained by United Parcel Service for overnight delivery.
- ☒ (BY ELECTRONIC SERVICE) By electronically mailing a true and correct copy through Weinberg, Roger & Rosenfeld's electronic mail system from [mpiro@unioncounsel.net](mailto:mpiro@unioncounsel.net) to the email addresses set forth below.

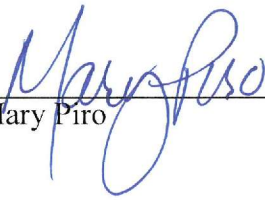
On the following part(ies) in this action:

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 6, 2018, at Alameda, California.

  
\_\_\_\_\_  
Mary Piro